File No. 708

1937.

Collection No.

Mysore Residency
Bangalore

11/7/47

(K)

Pros. / Serial Nos. 1 - 2 — 5 - 7

Subject.

Changing the name of Messrs. Nankerwis Ltd., to that of the Auto Cars (Bangalore) Ltd.

Petition returned for want of proper stamps

Previous References.	Later References.
F.392 / 1920.	

NOTES AND PRECIS.

(2)

D.No.4282. S.N.1.

(1) This is an application under section 11(4) of the Indian Companies Act,1913, as applied to the Civil and Military Station of Bangalore.

Section 11(4) of the Act lays down "Any Company may, by special resolution and subject to the approval of the Local Government signified in writing, under the hand of one of the Secretaries to such Government, chnage its name". The Company is therefore required to submit a copy of the special resolution as defined in section 81 of the Act.

(3) In this connection, it is submitted that under clause 1(c) of Schedule II of the Court Fees Act of 1870, as applied to the Station," an application or a petition when presented to a Chief Commissioner or other Chief Controlling Revenue or Executive authority, or to a Commissioner of Revenue or Circuit, or to any Chief Officer charged with the executive administration of a division and not otherwise provided for by this Act", requires a stamp of the value of Rs.1-8-0. "This clause applies only to petitions and applications in connection with a proceeding which is being taken before a Chief Commissioner or other authority specified therein, with a view to the exercise or non-exercise of some power or authority conferred upon him by some law or rule having the force of law". The term 'Chief Controlling Revenue Authority' is defined in section 2 of the said Court Fees Act. So far as the Civil and Military Station of Bangalore is conecrened the "Chief Controlling Revenue Authority" is the "Resident". As the present application or petition is under the statutory provisions of the Indian Companies Act, it requires to be stamped with a court fee label of the value of Rs.1-8-0.

(4) If approved the Company may be addressed on the above lines. ~~Draft submitted for consideration.~~

Draft

(3)

(5) Draft submitted for consideration.

AS
25/5/37.

(6) This petition has been presented to the Local Government, and it appears it must be stamped under article 1 of schedule II of the Court Fees Act. Section 19 of the Act does not exempt petitions of this class.

* P. 219 of the Madras Stamp Manual

P 199 ibid.

ASRw
29.5.37

T.N.T.
29-5-37.

Sdpdt R.O.D

A/5

RD
1/6

S.N. (2) Issue

Await

Record

T.N.T
1-12-37

CORRESPONDENCE.

S.N.2.

(SN 1 issued 1-6-37 Returned to petitioner with SN 2)

DEPARTMENT. File No.

BRANCH. Serial No.

Draft Letter / ~~Memorandum~~ / ~~Telegram~~

Issued 5/6/37

Class for telegrams — Ordinary / Express / ~~Urgent*~~ / Priority / Clear Line† — *Only for Foreign Telegrams. †Not for Foreign Telegrams.

To be Issued on Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams.)

S.N.1 (Plu)

5th June.

No. F.708-37 Dated ~~May~~ 1937. 19

From R.C.II.

The Asst. Secretary to the Resident.

To

The Managing Director,
Nankervis Ltd.,
No.1-C, Central Street,
C and M Station, Bangalore.

Subject:- Change of designation of "Nankervis Ltd" to "The Auto Cars (Bangalore) Ltd."

MEMORANDUM.

Reference your petiton dated the 26th April 1937.

2. Attention is invited to section 11(4) of the Indian Companies Act,1913, as applied to the Civil and Military Station of Bangalore. It is requested that a certified copy of the special resolution as defined in section 81 of the Act together with a copy of the orders passed by the Registrar of Joint Stock Comapnies on filing the said resolution may kindly be submitted to this Residency.

3. Your petition is returned with the request that it may be re-transmitted duly stamped with a court fee label of the value of

† Page 53 of the Company Law part up

Page 144 ibid.

SN 1 (Plu)

S: 5.

MGIPC—S1—768(GI)DCF—(G-849) -11 7 29—50,000 Pads.

Rs.

Rs.1-8-0, as required by clause 1(c) of Schedule II of the Court Fees Act, 1870, as applied to the Station.

Asst. Secretary to the Resident.

Page 219 of the Madras Stamp Manual portion

Typed 3/6 n.l.

as 25/5/37.

T.N.T. 29-5-37.